

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

This document relates to:

KATHLEEN ASHTON, et al,  
Plaintiffs,  
v.

AL-QAEDA ISLAMIC ARMY, et al.,  
Defendants.

**MDL No. 1570 (RCC)**

NO. 02 CV 6977 (RCC)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that pursuant to Rule 12(b)(2), and on the basis of the affidavits attached hereto, the undersigned will move the Court, before the Honorable Richard C. Casey, U.S.D.J., at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an order dismissing the Third Amended Consolidated Master Complaint against Wael Jelaidan for lack of personal jurisdiction.

As detailed in the accompanying Memorandum of Law, the Complaint must be dismissed against Wael Jelaidan because Plaintiffs have failed to plead and there is no evidence to prove that Wael Jelaidan has the necessary minimum contacts with the United States, such that this Court may exercise personal jurisdiction over him.

WHEREFORE, Defendant Wael Jelaidan respectfully requests that the Court grant his motion to dismiss.

Dated: Washington, DC  
March 19, 2004

**MARTIN MCMAHON & ASSOCIATES**

By:                     /s/                      
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